

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO Criminal Department, Central Division		
TITLE OF CASE: THE PEOPLE OF THE STATE OF CALIFORNIA V. MARCUS DELON WESSON		
TRIAL BY JURY IN THE GUILT PHASE OF A CAPITAL CASE- 47TH		Case Number: F04901785-6
Judge/Temporary Judge: R. L. Putnam Court Clerk: B. Graves/W. Anderson Reporter/Tape: D. Dedmon/S. Applegate Bailiff: H. Franco, P. Bellefeuille, G. Ozburn		Date: April 19, 2005 Department: 53 Time: 9:00 a.m.

Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA Defendant: Marcus Delon Wesson	<input type="checkbox"/> Appearing <input checked="" type="checkbox"/> Appearing	Counsel: Lisa Gamoian, Chief Deputy District Attorney Counsel: Peter Jones, Chief Deputy Defender Rafael Torres, Deputy Public Defender	<input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per <input checked="" type="checkbox"/> Appearing <input type="checkbox"/> Pro Per
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Pursuant to adjournment of April 18, 2005, Court reconvenes at 9:00 a.m. The People represented by Lisa Gamoian, Chief Deputy District Attorney, and the defendant, Marcus Delon Wesson, with counsel, Peter Jones, Chief Public Defender and Rafael Torres, Deputy Public Defender are present. All parties state that they are ready to proceed.

Denise Dedmon, Court Reporter, is present at 9:00 a.m.

Outside the presence of the jury, the Court inquires from respective counsel about time estimate for witness, Kiani Wesson. Lisa Gamoian, Chief Deputy District Attorney, informs the Court that she will be on the stand all day. The Court informs respective counsel that we will be in session on Friday April 22 and April 29 until noon.

The jury returns to the courtroom at 9:05 a.m. and gives the court a list of possible dark days.

COURT EXHIBIT 31(JURY POSSIBLE DARK DAYS) MARKED FOR IDENTIFICATION.

Kiani Wesson, having been previously sworn, resumes the witness stand at 9:06 a.m. for continued direct examination by Lisa Gamoian, Chief Deputy District Attorney.

The following Peoples exhibits are shown to Kiani Wesson: 645, 638(A), 651, 681.

The court admonishes the jury and stands in recess at 10:20 a.m.

Off the record, the following Peoples exhibits are marked:
PEOPLES EXHIBIT 676(A)(DIARY - BLUE WITH ORANGE FLOWERS BY KIANI WESSON) MARKED FOR IDENTIFICATION.

PEOPLES EXHIBIT 688(A)(DIARY WITH FLOWERS ON COVER BY KIANI WESSON) MARKED FOR IDENTIFICATION.

PEOPLES EXHIBIT 706(1 PAGE HANDWRITTEN DOCUMENT - FIRST EVOLUTION THEN CREATION = VMPYR) MARKED FOR IDENTIFICATION.

Court Reporter Shelly Applegate replaces Denise Dedmon at 10:40 a.m.

The jury returns to the courtroom at 10:40 a.m. and the trial resumes.

Kiani Wesson, having been previously sworn, resumes the witness stand at 10:40 a.m. for continued direct examination by Lisa Gamoian, Chief Deputy District Attorney.

The following Peoples exhibits are shown to Kiani Wesson: 640, 644, 643, 681, 651(A)

The Court admonishes the jury and the jury stands in recess at 11:59 a.m.

Witness, Kiani Wesson is ordered to be present at 1:30 p.m.

The Court stands in recess at 12:01 p.m.

Court Reporter Denise Dedmon replaces Shelly Applegate at 1:35 p.m.

The Court reconvenes at 1:35 p.m. in chambers with Lisa Gamoian, Chief Deputy District Attorney. Peter Jones, Senior Deputy Public Defender and Rafael Torres, Deputy Public Defender are present. Marcus Delon Wesson is present with the aid of an electronic listening device.

The Court orders the transcript sealed pursuant to Rule of Court Section 243.1, Subdivision (d) as follows:

In this case the defendant is charged with nine (9) murders and multiple counts of rape and child abuse. There has been significant public interest and media coverage on an international scale.

Because of the seriousness of the charges in this matter, security issues related to the trial, concerns about securing a fair and impartial jury, and in order to provide a fair trial to the parties hereto: The Court finds as follows:

- (1) There is an overriding interest that overcomes the right of public access to the records being sealed;
- (2) These interests support sealing the records;
- (3) That a substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- (4) The sealing is narrowly tailored;
- (5) No less restrictive means exist to achieve the overriding interest.

The jury returns to the courtroom 1:56 p.m. and the trial resumes.

Kiani Wesson, having been previously sworn, resumes the witness stand on continued direct examination at 1:56 p.m. by Lisa Gamoian, Chief Deputy District Attorney.

The following Peoples exhibits are shown to witness, Kiani Wesson: 691, 682, 676(A),

The Court admonishes the jury and stands in recess at 3:05 p.m.

Court Reporter Shelly Applegate replace Denise Dedmon at 3:20 p.m.

The jury returns to the courtroom at 3:20 p.m. and the trial resumes.

Kiani Wesson, having been previously sworn, resumes the witness stand on continued direct examination at 3:20 p.m. by Lisa Gamoian, Chief Deputy District Attorney.

The following Peoples exhibits are shown to Kiani Wesson: 688(A), 637(b), 637(A), 641.

The Court admonishes the jury and adjourns at 4:30 p.m. until April 20, 2005 at 9:00 a.m.

Witness, Kiani Wesson, is ordered to be present on April 20, 2005 at 9:00 a.m.

The defendant, Marcus Delon Wesson, remains in the custody of the Sheriff of Fresno County.

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